

PATENT
ATTORNEY DOCKET NO. 047664-5002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **RECEIVED**

In re Application of:

Brita SCHULZE *et al.*

Application No.: 09/847,538

Filed: May 3, 2001

For: CATIONIC DIAGNOSTIC, IMAGING AND
THERAPEUTIC AGENTS ASSOCIATED WITH
ACTIVATED VASCULAR SITES

NOV 18 2003

TECH' CENTER 1600/2900

Group Art Unit: 1617

Examiner: L. Wells

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop Non-Fee Amendment
Arlington, VA 22202

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

This paper responds to the Office Action (Paper 13) dated July 16, 2003, time for response to which expired August 16, 2003. A petition for a three month extension of time is submitted concurrently, thereby extending the period for response to November 16, 2003.

Please amend the above-identified application as follows:

Preliminary Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks including Reponse to Restriction Requirement begin on page 10 of this paper.



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Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment responding to the Office Action dated July 16, 2003.

2. Additional papers enclosed:

- ☐ Information Disclosure Statement
- ☐ Form PTO-1449, copies of ___ references
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
- ☐ Drawings: ☐ Formal ☐ Informal (Correction)

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 420.00	\$210.00
<input checked="" type="checkbox"/> three months	\$ 950.00	\$475.00
<input type="checkbox"/> four months	\$1,480.00	\$740.00
<input type="checkbox"/> five months	\$2,010.00	\$1,005.00

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension of time fee due with this request: \$475.00

4. Constructive Petition

☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16) (SMALL ENTITY)\

CLAIMS AS AMENDED (SMALL ENTITY)						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	36	minus	42	0	x \$18/\$9 each=	\$ 0.00
Independent Claims (37 C.F.R. §1.16(b))	5	minus	10	0	x \$86/\$43 each=	\$ 0.00
First presentation of Multiple dependent claim(s) (previously paid)					\$290/\$145	\$ 0.00
SUB-TOTAL =						\$ 0.00
Fee for <u>3</u> Month Extension of Time						\$ 475.00
TOTAL FEE (SMALL ENTITY) =						\$ 475.00

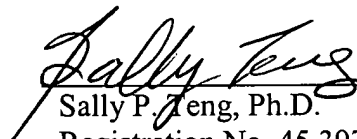
6. Fee Payment

- ☒ The Commissioner is hereby authorized to charge **\$475.00** to Deposit Account No. 50-0310 for Three-Month Extension of Time Fee.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully Submitted,
Morgan Lewis & Bockius LLP

Date: November 13, 2003
Morgan Lewis & Bockius LLP
Customer No. **09629**
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Tel. No.: 202-739-3000
SPT:mk

By:


Sally P. Teng, Ph.D.
Registration No. 45,397
Tel. No.: (202) 739-5734
Fax No.: (202) 739-3001